

FILED

11 SEP 07 PM 3:00

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 11-1-07608-0 SEA

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,

Plaintiff,

v.

DAVID ALLAN SCRATCHLEY,

Defendant.

No. 11-1-07608-0 SEA

INFORMATION

COUNT I

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse DAVID ALLAN SCRATCHLEY of the crime of **Attempted Rape of a Child in the First Degree**, committed as follows:

That the defendant DAVID ALLAN SCRATCHLEY in King County, Washington, on or about September 1, 2011, being at least 24 months older than TTO (4/29/01), attempted to have sexual intercourse with TTO (4/29/01), who was less than 12 years old and was not married to and not in a state registered domestic partnership with the defendant; attempt as used in the above charge means that the defendant committed an act which was a substantial step towards the commission of the above described crime with the intent to commit that crime;

Contrary to RCW 9A.28.020 and RCW 9A.44.073, and against the peace and dignity of the State of Washington.

COUNT II

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse DAVID ALLAN SCRATCHLEY of the crime of **Communication with a Minor for Immoral Purposes**, a crime of the same or similar character and based on a series of acts connected together with another crime charged herein, which crimes were part of a common scheme or plan, and which crimes were so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the other, committed as follows:

INFORMATION - 1

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000, FAX (206) 296-0955

1 That the defendant DAVID ALLAN SCRATCHLEY in King County, Washington, on or
2 about September 1, 2011, did communicate with TTO (4/29/01), a child under the age of 18
3 years, or a person he believed to be a minor, for immoral purpose of a sexual nature;

4 Contrary to RCW 9.68A.090(1), and against the peace and dignity of the State of
Washington.

5 DANIEL T. SATTERBERG
6 Prosecuting Attorney

7 By: Carol D. Spoor
8 Carol D. Spoor, WSBA #15225
9 Senior Deputy Prosecuting Attorney
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2 CAUSE NO. 11-1-07608-0 SEA

3 PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
4 CONDITIONS OF RELEASE


5 The State incorporates by reference the Certification for Determination of Probable
6 Cause written by Detective Susana DiTusa in Seattle Police Department Incident Number
7 11-288177 and signed on September 7, 2011.

8 REQUEST FOR BAIL

9 The State requests bail in the amount of \$1 million, pursuant to CrR 2.2 (b) (2) (i), (ii),
10 (iii), and (iv). The defendant is currently being held on No Bail. In addition to the reasons set
11 forth in the detective's Objection to release in the Certification for Determination of Probable
12 Cause, the State believes bail is justified because of the predatory nature of the defendant's
13 conduct; his abuse of trust, where he has manipulated not only this victim and his mother, but an
14 entire community; and concerns for his mental health situation. The defendant told court
15 services that he has been using crack cocaine for the last three months, that he is depressed and is
16 not taking any medication. He is currently housed in the jail psychiatric unit.

17 The State also requests a no contact order be issued for the protection of TTO and
18 minors.

19 Signed this _____ day of September, 2011.

20
21 
22 _____
23 Carol D. Spoor, WSBA #15225
24

CAUSE NO. 11-1-07608-0SEA

**CERTIFICATION FOR DETERMINATION
OF PROBABLE CAUSE**

GENERAL OFFENSE # 11-288177
UNIT FILE NUMBER

That Susana DiTusa is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case Number 11-288177;

There is probable cause to believe that DAVID A. SCRATCHLEY W/M 07/23/59 committed the crime(s) of ATTEMPT RAPE OF A CHILD 1 AND COMMUNICATING WITH A MINOR FOR IMMORAL PURPOSES within the City of Seattle, County of King, State of Washington.

This belief is predicated on the following facts and circumstances:

On September 1, 2011, Detective Sergeant Welch received a call from a witness, whom I will refer to as TV (DOB 08/24/65), who stated that she had engaged in a relationship with "Dr. David Scratchley, PhD", for approximately two years. During this time, S/Scratchley engaged in crack cocaine and other illicit drugs with her. S/Scratchley talked about sexual fantasies that he had about children and told her that he had sexually abused children in the past. TV became fearful when she learned that S/Scratchley had planned to seduce a young boy into his home and engage in sexual intercourse with him today. She engaged in texting via cell phones with S/Scratchley where they discussed a plan to sexually assault this boy. TV believed that S/Scratchley was going to follow through with his fantasy today. S/Scratchley told TV to respond to his residence located in the 2800 block of Western Ave, Seattle, King County, WA where he, the victim and crack cocaine awaited her.

Sexual Assault Unit Detective Sergeant Welch, Detectives, and uniformed officers responded to the residence of S/Scratchley, as listed above, to do a child welfare check. Upon our arrival TV met us and stated that S/Scratchley just informed her that the victim was coming down to meet her. As we approached the elevator, the 10 year old boy, later identified, whom I will refer to as TTO (DOB 04/29/2001), walked out of the elevator. I observed TTO identify himself to TV and confirm that he was looking for her. I immediately took custody of TTO and spoke with him.

TTO told me that he had been with "Dr. Scratchley" in his apartment today. TTO had S/Scratchley's keys in his hand so that he could come back into the room after he retrieved TV. He stated that Dr. Scratchley told him to come down to meet TV as she had arrived. TTO stated that Dr. Scratchley had just picked him up from his mother's home and brought him to his residence.

TTO stated that he had been with S/Scratchley by himself on several other occasions. He knows Dr. Scratchley through his mother at the Matt Talbot Center (a drug treatment facility). He called Dr. Scratchley "my friend". Today his mother allowed Dr. Scratchley to pick him up to spend some time with him. Dr. Scratchley told him that they were going to do really fun things today. He didn't tell TTO what "fun things" they would be doing except that they would be going shopping to a sporting goods store later just as they had before. Dr. Scratchley also told TTO that he was waiting for "T" (witness) to arrive. TTO was aware that S/Scratchley was texting TV during their visit. TTO stated that S/Scratchley changed clothes out of his work clothes and into blue jeans and a shirt while in the apartment with TTO.

TTO stated that during the time that he was with Dr. Scratchley today, he felt uncomfortable because Dr. Scratchley was asking him things "to not tell other people" and asked about things that he may be doing that were "inappropriate". He asked if TTO had been doing "any sexual things". S/Scratchley told TTO not to talk about "sexual stuff" to his mom. TTO stated that the specific question was whether he had kissed a girl in private? Had he shown his private parts to a girl? Had he done any sexual things? He asked TTO these questions today in addition to the last time they spent time together just before TTO's



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**CERTIFICATION FOR DETERMINATION
OF PROBABLE CAUSE**

INCIDENT NUMBER 11-288177
UNIT FILE NUMBER

birthday in April 2011. During the April visit S/Scratchley talked about what he was going to buy TTO for his birthday at their favorite sporting goods store. S/Scratchley also asked if TTO had done drugs.

TTO stated that while in the apartment today, he saw little white rocks on the counter next to an empty baggie. TTO thought that they were drugs because he had seen them on the television show "Cops". TTO later told me that he felt uncomfortable while S/Scratchley was talking to him about sexual things. TTO stated that on one of their visits, S/Scratchley told him that he (S/Scratchley) couldn't tell his girlfriend that he was with TTO because she would get mad at him for being with TTO. TTO stated that he doesn't know why S/Scratchley's girlfriend would get mad about S/Scratchley spending time with TTO.

TTO stated that he was a little scared today because when he saw the "white stuff", he was afraid that S/Scratchley was going to yell at him because he was on drugs or something.

TTO stated that while he and S/Scratchley were awaiting TV's arrival, S/Scratchley asked him the sexual questions then asked TTO to go get TV when she arrived at the apartment.

TTO later told me that the things that he had to talk about are very uncomfortable and that he would be willing to talk to a doctor about the private things because it is embarrassing. TTO was transported to Harborview Medical Center for a sexual assault evaluation.

S/Scratchley continued texting TV while I was speaking with TTO and detectives were conducting the investigation. He texted her that he assumed she was getting to know TTO while he was downstairs with her. The text read: Sep 1, 2011 4:02 PM, "I assume you and "T" (victim) are getting to know each other?" End. "Come back when you're ready" End. This was due to the delay in TV and TTO's return to the apartment. Officers contacted S/Scratchley and placed him under arrest. S/Scratchley requested an attorney and refused to speak with detectives. He was booked into King County Jail.

TV gave me a statement. In addition to the above information, she stated that she became increasingly concerned that S/Scratchley had been acting on his fantasies about children when he told her about two young female victims that he had been having sexual contact with. S/Scratchley admitted to TV that he was a "pedophile".

TV submitted to me her phone for evidentiary purposes. She signed a "Consent to Search" form and I viewed the text messages between her and S/Scratchley, which is under the contact name "Dave" with the phone number (206)271-8279. TV verified this to be the phone number that belongs to S/Scratchley. The messages talk about their plans today involving using crack cocaine and having sexual contact with TTO. TV led S/Scratchley to believe that she was a willing participant in the events he was planning with TTO. There were numerous text messages.

The text messages between S/Scratchley and TV discuss the victim in name and that they will be having sexual contact with him. S/Scratchley talked about the size and shape of the victim's penis and anus. S/Scratchley talked about the arrangements that he had made for a "play date" on the afternoon of September 1st, 2011. All of the text messages corroborate TV's allegations of the events that she believed were about to occur.

Sexual Assault Unit Detectives along with the Crime Scene Investigations Unit served a search warrant on the residence of S/Scratchley. We located and seized several items including, known narcotics paraphernalia, several pornographic "sex toys" and instruments, a pornographic DVD with "Teen" in the title and the cover depicting teenaged looking girls, in addition to computer media. S/Scratchley's cellular phone, which was collected from his person during his arrest, was seized and a forensic analysis



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revealed the text messages between he and TV as mentioned above in addition to many others discussing his drug addiction, purchases of drugs, the messages between the victim's mother with scheduling the "play date" and the sexually charged messages to TV. They were exactly as shown on TV's phone.

Objection to release: S/Scratchley has clearly shown the ability to groom and manipulate many people in his life including the ability to obtain money and resources from unsuspecting citizens confirmed by text messages. On S/Scratchley's text messages, S/Scratchley discussed a plan to leave the area on September 2nd, 2011. He had purchased drugs and facilitated the crime of Rape of a Child in the 1st degree, which was about to occur. He Communicated with a Minor for Immoral Purposes. S/Dr. Scratchley was highly respected in the community and has thwarted the community's trust. He had placed himself with vulnerable people who entrusted their treatment and health in his hands. There is concern for other potential victims in the community and that he is a danger to himself and the community, therefore, I request that S/Scratchley be held in custody pending this investigation. I also am requesting that a "No Contact Order/Protection Order be in place upon S/Scratchley's release for the protection of the witness TV and her family, the victim TTO and his family.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to best of my knowledge and belief. Signed and dated by me this 7th day of September, 2011, at Seattle, Washington.

[Signature] #5852

AGENCY: Seattle PD	WASPD0000	CASE NUMBER 2011-288177	FILE NUMBER	PCN NUMBER	SUPERFORM
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ARREST INFORMATION		CRIMINAL TRAFFIC CITATION ATTACHED?		ACCOMPLICES
DATE & TIME OF VIOLATION 9/1/2011 4:45 PM	<input type="checkbox"/> YES <input type="checkbox"/> NO			
DATE & TIME OF ARREST/TIME 9/1/2011 4:45 PM	ARREST LOCATION 2801 Western AV UNIT: 233 Seattle, WA 98104			

SUSPECT INFORMATION		DOB	ALIAS, NICKNAMES
NAME (LAST, FIRST, MIDDLE/IR, SR, 1st, 2nd) Scratchley, David Allan		7/23/1959	SEP 07 2011
ARMED/DANGEROUS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IDENTITY IN DOUBT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CITIZENSHIP US	
PHYSICAL DETAILS			
SEX M	HEIGHT 604	WEIGHT 190	SKIN TONE MED
RACE W		EYE BRO	HAIR BRO
SCARS, MARKS, TATTOOS, DEFORMITIES None			
IDENTIFICATION DETAILS			
CCN	PRIOR BA # 0	AFIS #	FBI #
STATE ID #		DRIVER'S LICENSE #	
RESIDENCE		EMPLOYMENT / SCHOOL	
LAST KNOWN ADDRESS 2801 WESTERN AV UNIT: 233 SEATTLE, WA 98104		EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)	
RESIDENCE PHONE 2062718279		BUSINESS PHONE	
OCCUPATION			
EMERGENCY CONTACT			
PERSON TO BE CONTACTED IN CASE OF EMERGENCY Unknown		RELATIONSHIP	PHONE

CHARGE INFORMATION			
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE	I - COMM MIN IMMORAL INV	RCW / ORCA 6406	COURT / CAUSE # 1
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE	ATTEMPT ROL I	RCW / ORCA	COURT / CAUSE #
			CITATION #

WARRANT / OTHER			
WARRANT DATE	WARRANT NUMBER	OFFENSE	AMOUNT OF BAIL
ORIGINATING POLICE AGENCY		ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)

PROPERTY INFORMATION	
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL Wallet containing visa card and visa gift card	
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #) Sprint brand Blackberry Cell Phone	
LIST ITEMS ENTERED INTO SAFEKEEPING	
TOTAL CASH OF ARRESTEE \$19.00	WAS CASH TAKEN INTO EVIDENCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO AMOUNT: \$0.00
SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #	

OFFICER INFORMATION		
ARRESTING OFFICER / SERIAL # Spong, Jeffrey L 5829	TRANSPORTING OFFICER / SERIAL # Spong, Jeff 5829	SUPERVISOR SIGNATURE / SERIAL #
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Spong, Jeffrey		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL/PHONE) 2066845579

COURT FILE	
SUPERIOR COURT FILING INFO <input type="checkbox"/> IN CUSTODY <input type="checkbox"/> AT LARGE <input type="checkbox"/> OUT ON BOND	COURT CAUSE (STAMP OR WRITER) 11-1-07608-0SEA
COURT/DIST. CT. NO.	SUP. CT. DATE

EXTRADITE	
PERSON APPROVING EXTRADITION	SEALING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/> NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/> NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK <input type="checkbox"/> NCIC-WILL EXTRADITE FROM FROM ALL 50 STATES <input type="checkbox"/>
CCN	DOE
WAC	TOE
NCIC	OP

PROBABLE CAUSE INFORMATION	
STATEMENT OF PROBABLE CAUSE: NON-VUCSA	
CONCISELY SET FORTH FACTS SHOWING PROBABLE CAUSE FOR EACH ELEMENT OF THE OFFENSE AND THAT THE SUSPECT COMMITTED THE OFFENSE. IF NOT PROVIDED, THE SUSPECT WILL BE AUTOMATICALLY RELEASED. INDICATE ANY WEAPONS INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)	